

**REMARKS:**

Favorable reconsideration of this application is respectfully requested.

Claim 1, as well as three paragraphs of the specification including the Abstract, are amended to replace the term pitch wall "top end" with -- upper end -- to be consistent with the language of the Detailed Description. These paragraphs are further amended to delete a redundant recitation of the pitch wall upper end and otherwise for greater clarity.

Claims 1-4 were rejected under 35 U.S.C. section 112 as being indefinite because the claims were found to be directed to two distinct methods: that of a method of forming a building and a method of casting panels. The claim 1 preamble recites "a method of constructing a concrete module having several interconnected walls and defining a portion of a building". Thus this claim is directed to a "method of constructing a concrete module ...", having the subsequently described module characteristics. In an effort to improve clarity, the characteristics of the module are deleted from the preamble. Also a period is added to the end of claim 1.

Claims 1-4 were rejected under 35 U.S.C. section 103(a) as being unpatentable over Gorell, et al. in view of Gonzalez Espinosa de Los Monteros and Westerlund. A key feature of the method is the creation of a floor form using a rail in combination with module side walls, so that the side walls themselves not only define part of the floor form but become interconnected by the pouring of the

floor as well, so that forming of the floor and integration of module side walls and floor into a monolithic module are simultaneous. In short, nothing in the art is believed to teach providing a platform with a rail on its upper surface and subsequently placing ends of two module walls against the rail, in combination with a module linking wall, to create a floor form, and then pouring a module floor and thereby simultaneously integrating these module elements into a single unified module. The roof forming steps further distinguish amended claim 1 from the art. Thus amended claim 1, and claims 2-4 depending therefrom, are believed to allowable.

Added claim 5 recites the formation of two modules at the same time, one on each side of the rail, and omits the roof formation steps and some module configuration limitations. This simultaneous module formation is shown in FIGURE 9 of the application as filed, and is described in the written specification. See page 13, lines 19-26 and page 14, line 1. It is believed that nothing in the cited art, or in the generally known art, teaches such a simultaneous dual module forming method.

Added claim 6 is substantially like claim 1, except that the roof forming steps are omitted. It is believed that the roof forming steps are not necessary to distinguish the present method from those of the cited prior art. Added claim 7 adds the limitations of the inventive use of mitered side wall ends, generally as recited in dependent claim 3, to the limitations set forth in added claim 6. Added claim 8 focuses on the inventive use

of mitered corners in module construction, and exclude floor forming steps.

Therefore added claims 5, 6, 7 and 8 are believed to be allowable.

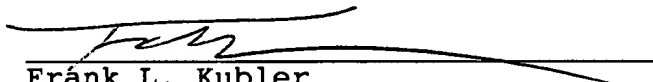
In view of the foregoing considerations, it is respectfully urged that claim 1 as amended and claims 2-4 depending therefrom and added claims 5-8 should be allowed. Such action is respectfully requested.

A check is enclosed to cover the added claim fee.

A Petition for Extension of Time and a check for the petition fee are also enclosed.

If there are any reservations about allowing these claims, a telephone interview is respectfully requested.

Respectfully submitted,

  
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Dated: February 14, 2003.

VERSION WITH MARKINGS TO SHOW CHANGES MADE,  
AMENDED SPECIFICATION:

Please amend the paragraph appearing at Page 1, lines 6-24 and page 2, lines 1-19, as follows:

The present invention relates generally to the field of methods for constructing concrete buildings. More specifically the present invention relates to a method of constructing a concrete module having several interconnected walls and defining a portion of a building. The method includes the essential steps of forming two pitch walls, each pitch wall having a wall [top] upper end angled to match the pitch of the building roof to define an upper peak having a beam receiving notch, having a shorter lateral end and a longer lateral end[;], and a wall lower end [and an angled upper end], and having a notch at the intersection of the lower lateral end and the angled wall upper end; forming a linking wall having two linking wall lateral ends substantially matching the height of the pitch wall shorter lateral ends; providing a floor form platform having a horizontal platform surface and an upright tubular floor form rail which defines a side of the floor form, placing the two pitch walls and the linking wall on a floor form platform such that the pitch wall longer lateral ends are each abutting and substantially perpendicular to the floor form wall and the pitch wall shorter lateral ends are adjacent to one of the linking wall lateral ends such that the pitch walls both extend in the same direction from and are substantially perpendicular to the

linking wall, and the pitch walls, linking wall and floor form wall together enclose a region of the horizontal platform surface to define a floor form; pouring uncured concrete into the floor form; permitting the concrete within the floor form to cure and define a module floor jointed to the pitch walls and the linking wall; constructing a roof form with roof form support structures having planar upper surfaces angled to match the desired roof pitch and to define a contiguous roof form lower wall below a distance below and adjacent to the pitch wall and linking wall upper ends and meeting the pitch walls and linking walls to define a roof form; optionally placing insulating foam blocks on top of the support structures for incorporation into the formed roof; forming a pre/post-stressed concrete beam, placing the beam parallel to the linking wall and into the beam notches; pouring uncured concrete into the roof form; permitting the concrete in the roof form to cure; removing the roof form support structures; lifting the completed module off the platform.

Please amend the paragraph appearing at Page 4, lines 5-25 and page 5, lines 1-14, as follows:

A method is provided of constructing a concrete module having several interconnected walls and defining a portion of a building, including the steps of forming two pitch walls, each pitch wall having a wall [top] upper end angled to match the pitch of the building roof to define an upper peak having a beam receiving notch, having a shorter lateral end and a longer lateral end[;], and a wall lower end [and an angled upper end], and having a notch at the intersection of the lower lateral end and the angled wall upper end; forming a linking wall having two linking wall lateral ends substantially matching the height of the pitch wall shorter lateral ends; providing a floor form platform having a horizontal platform surface and an upright floor form rail defining a side of the floor form; placing the two pitch walls and the linking wall on a floor form platform such that the pitch wall longer lateral ends are each abutting and substantially perpendicular to the floor form wall and the pitch wall shorter lateral ends are adjacent to one of the linking wall lateral ends such that the pitch walls both extend in the same direction from and are substantially perpendicular to the linking wall, and the pitch walls, linking wall and floor form wall together enclose a region of the horizontal platform surface to define a floor form; pouring uncured concrete into the floor form; permitting the concrete within the floor form to cure and define a module floor jointed to the pitch walls and the linking

wall; constructing a roof form with roof form support structures having planar upper surfaces angled to match the desired roof pitch and optionally insulating form blocks on top of the support structures to define a contiguous roof form lower wall below a distance below and adjacent to the pitch wall and linking wall upper ends and meeting the pitch walls and linking walls to define a roof form; forming a pre- or post-stressed concrete beam, or providing an I-beam or other type of beam, placing the beam parallel to the linking wall and into the beam notches; and pouring uncured concrete into the roof form; permitting the concrete in the roof form to cure; removing the roof form support structures; lifting the completed module off the platform.

Please amend the paragraph appearing at Page 19, lines 1-23, as follows:

ABSTRACT OF THE DISCLOSURE

A method of constructing a concrete module having several interconnected walls and defining a portion of a building includes the steps of forming two pitch walls, each pitch wall having a wall [top] upper end angled to match the pitch of the building roof to define an upper peak having a beam receiving notch, having a shorter lateral end and a longer lateral end[;], and a wall lower end [and an angled upper end], and having a notch at the intersection of the lower lateral end and the angled wall upper end; forming a linking wall having two linking wall lateral ends substantially matching the height of the pitch wall shorter lateral ends; providing a floor form platform having a horizontal platform surface and an upright floor form rail defining a side of the floor form; placing the two pitch walls and the linking wall on a floor form platform; pouring uncured concrete into the floor form; permitting the concrete within the floor form to cure and define a module floor jointed to the pitch walls and the linking wall; constructing a roof form with roof form support structures; forming a concrete beam; placing the beam parallel to the linking wall and into beam notches to complete the perimeter wall of the roof form; and pouring uncured concrete into the roof form; permitting the concrete in the roof form to cure; removing the roof form support structures; and lifting the completed module off the platform.



VERSION WITH MARKINGS TO SHOW CHANGES MADE,  
AMENDED CLAIMS:

1. (Amended) A method of constructing a concrete module [having several interconnected walls and defining a portion of a building], comprising the steps of:

forming two pitch walls, each said pitch wall having a wall [top] upper end angled to define a building roof pitch and [match the pitch of the building roof to define] an upper peak having a beam receiving notch, having a shorter lateral end and a longer lateral end[;], and a wall lower end [and an angled upper end], and having a notch at the intersection of the lower lateral end and the angled wall upper end;

forming a linking wall having two linking wall lateral ends substantially matching the height of the pitch wall shorter lateral ends;

providing a floor form platform having a horizontal platform surface and an upright floor form rail;

placing the two pitch walls and the linking wall on a floor form platform such that the pitch wall longer lateral ends are each abutting and substantially perpendicular to the floor form rail and the pitch wall shorter lateral ends are adjacent to one of the linking wall lateral ends such that the pitch walls both extend in the same direction from and are substantially perpendicular to the linking wall, and the pitch walls, linking wall and floor form rail

together enclose a region of the horizontal platform surface to define a floor form;

pouring uncured concrete into the floor form;

permitting the concrete within the floor form to cure and define a module floor joined to the pitch walls and linking wall;

constructing a roof form with roof form support structures having planar upper surfaces angled to match the desired roof pitch to define a contiguous roof form lower wall below a distance below and adjacent to the pitch wall and linking wall upper ends and meeting the pitch walls and linking walls to define a partial roof form;

forming a [pre/post-stressed] concrete beam which is one of pre-stressed and post stressed[,];

placing the beam parallel to the linking wall and into the beam notches to complete the roof form;

and pouring uncured concrete into the roof form; permitting the concrete in the roof form to cure; removing the roof form support structures; lifting the completed module off the platform.

CERTIFICATE OF MAILING

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the 18th day of February, 2003.

Signed: \_\_\_\_\_

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Applicant: Wallace D. Sanger  
Serial No. : 09/776,005  
Filed: February 2, 2001  
For: METHOD OF FORMING CONCRETE BUILDING MODULES  
Examiner: Steve M. Varner      Group: 3635      Paper Number: 6